

Exhibit “B”

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

- - -

STEVEN HOUSER, Ph.D.,
FAHA,

CIVIL ACTION

Plaintiff,

V.

NO. 2021-00676

TEMPLE UNIVERSITY and
ARTHUR M. FELDMAN, Ph.D.,

**CERTIFIED
TRANSCRIPT**

Defendants.

VOLUME 1

Video deposition of ARTHUR M. FELDMAN,
M.D., Ph.D., held at the offices of JuriSolutions,
1500 John F. Kennedy Blvd., 18th Floor,
Philadelphia, Pennsylvania, on Wednesday, June 22,
2022, commencing at approximately 11:36 a.m.,
before Joanne Rose, a Registered Merit Reporter,
Certified Realtime Reporter and Notary Public,
pursuant to notice.

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1 APPEARANCES:

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Arthur M. Feldman, M.D., Ph.D.

23 ALSO PRESENT:

24 Steven Houser, Ph.D., FAHA

25 Phillip Roller, Videographer



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- - -

(No exhibits were marked for identification.)

- - -



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1 VIDEOGRAPHER: We are now on the
2 record. My name is Phillip Roller. I'm a
3 videographer retained by Advanced Depositions.

4 This is the video deposition for the
5 United States District Court for the Eastern
6 District of Pennsylvania. Today's date is June 22,
7 2022. The video time is 11:36 a.m.

8 This deposition is being held at 1500
9 JFK Boulevard, 18th Floor, Philadelphia,
10 Pennsylvania, in the matter of Houser vs. Temple
11 University, et al. The deponent is Dr. Arthur M.
12 Feldman.

13 Will all counsel please identify
14 themselves for the record.

15 MS. GALLI: Nicole Galli, counsel for
16 Dr. Houser with ND Galli Law.

17 MR. BURKHOLDER: David Burkholder,
18 counsel for plaintiff from Wisler Pearlstine.

19 MR. KELLER: James Keller from Saul
20 Ewing Arnstein & Lehr for defendant Temple
21 University.

22 MS. CARP: Rachael Carp from Rubin,
23 Fortunato & Harbison for Dr. Feldman.

24 MR. FORTUNATO: Michael Fortunato from
25 Rubin, Fortunato & Harbison for Dr. Feldman.

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1 VIDEOGRAPHER: The court reporter,
2 Joanne Rose, will now swear in the witness.

3 ARTHUR M. FELDMAN, M.D., Ph.D., having
4 been duly sworn, was examined and testified as
5 follows:

6 EXAMINATION

7 BY MS. GALLI:

8 **Q. Good morning, Dr. Feldman.**

9 A. Good morning.

10 MR. FORTUNATO: We'll take the
11 deposition pursuant to the Federal Rules of Civil
12 Procedure?

13 MS. GALLI: Absolutely. And it will
14 probably be useful to have the witness read and
15 sign.

16 MR. FORTUNATO: Yes. We'll waive
17 certification and sealing.

18 MS. GALLI: Right, always a fun one.

19 BY MS. GALLI:

20 **Q. Dr. Feldman, you were at Dr. Houser's**
21 **deposition, were you not?**

22 A. I was.

23 **Q. And presumably you heard your counsel review**
24 **some basic ground rules of being deposed with**
25 **Dr. Houser?**

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1 **Q. What do you believe?**

2 A. Well, I don't think, I don't think -- this
3 isn't about beliefs. This is about, you know,
4 black or white or yes or nos. I just don't know.

5 **Q. You've sued Dr. Houser for defamation.**

6 **Right?**

7 A. I have.

8 **Q. And you believe he's defamed you?**

9 A. I believe he has.

10 **Q. When do you think that started?**

11 A. I know -- you know, I have documentation
12 obviously in the allotted time period, but I
13 haven't looked further back than that.

14 But I note -- my guess is that it's
15 been going on, I don't know, some period of time.
16 I don't know when it started. I would have no way
17 of knowing that.

18 **Q. When is the earliest you think it started?**

19 A. I don't know.

20 **Q. I didn't ask what you know. I asked what**
21 **you believe.**

22 A. I, I don't have a belief. I don't -- I
23 think you can only -- you know, those kind of
24 things you can only say something if you know for a
25 fact that something occurred.

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1 And I don't think this is, you know,
2 this is an issue of beliefs. It's an issue of what
3 do you know, what have you seen.

4 I mean, I was shocked by, you know,
5 some of the things that I saw in the emails, but
6 those are, those are written. I don't have any
7 beliefs. I either saw something or I didn't see
8 something. I know something or I didn't know
9 something.

10 **Q. Prior to seeing any documents that were**
11 **produced in this case, did you have any knowledge**
12 **of any defamatory conduct on behalf of -- on the**
13 **part of my client towards you?**

14 A. I did not have any hard evidence. I mean,
15 people had... you know, people talk all the time
16 but I have no hard evidence.

17 **Q. What have you been told prior to that?**

18 A. You know, I -- you hear all kinds of things.
19 In a small academic institution like
20 Temple where everybody knows everybody else and
21 everybody talks to everybody else you hear things.
22 And you don't know what's true and what isn't true.

23 **Q. What have you heard?**

24 A. I heard the same things that were, that were
25 in the documents. If you want to talk about

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1 documents, I'm more than happy to do that.

2 **Q. I don't want to talk about documents, sir.**

3 A. But I'm not going to tell -- I'm not going
4 to -- I don't think -- it's, it's -- I wouldn't
5 expect him to be able to sit here and tell me about
6 things that I supposedly said about him.

7 And I'm not going to sit here and tell
8 you about things that I've heard that he supposedly
9 said about me because that's all hearsay. It's not
10 relevant.

11 **Q. Dr. Feldman, the rules of hearsay do not**
12 **apply to depositions.**

13 A. Okay.

14 MR. FORTUNATO: That's not a question.
15 That's a statement. So you don't need to educate
16 him on the law.

17 If you want to ask him a question, you
18 can ask him a question. And he'll give you the
19 answer to the best of his recollection and
20 information.

21 MS. GALLI: Except that your client is
22 refusing to answer my question, sir. If you'd like
23 to call the Court so that I can have the judge
24 explain to him that he needs to answer my
25 questions, we can do that.

1 Would you like a moment to confer with
2 your client and explain to him that he needs to
3 answer my questions regardless of whether or not
4 they're hearsay?

5 MR. FORTUNATO: You can do whatever
6 you want, Nicole. You can ask whatever questions
7 you'd like. Dr. Feldman is here giving you his
8 testimony.

9 MS. GALLI: No, he's not. He's
10 refusing to answer my questions.

11 MR. FORTUNATO: I think his answer
12 covers about a page and a half on the, on the
13 transcript.

14 BY MS. GALLI:

15 **Q. Dr. Feldman, I would like you to answer my**
16 **questions. It is not your place to tell me whether**
17 **or not I can -- it's hearsay. Your place is to**
18 **answer my questions.**

19 Can we do that?

20 A. Sure.

21 **Q. All right. What did you hear people telling**
22 **you that Dr. Houser said about you, sir?**

23 A. Let me think of -- I have to think of an
24 example.

25 **Q. Take as much time as you need.**

1 A. Okay. Somebody told me that he, he told
2 them or told somebody else that he didn't think
3 that BAG3 was going to go anywhere, that it was
4 just a flash in the pan.

5 **Q. Who told you that?**

6 A. I don't remember.

7 **Q. Okay. What else have you heard?**

8 A. Well, let me quote -- let me, let me quote
9 Dr. Houser.

10 So when he came to see me my first day
11 on the job, he came up to my office on the 11th
12 floor and he walked in and he told me four things.

13 He told me that he became an
14 investigator because he didn't want to be a
15 physician. Excuse me. I'm sorry. He didn't like,
16 he didn't like medical school.

17 He told me that he had fired -- gotten
18 the last two deans fired, which I kind of saw as a
19 threat. He told me that he went to college at
20 Eastern because he wanted to play basketball and if
21 he had gone to Penn, he wouldn't have gotten onto
22 the floor very much.

23 And he told me that I should watch
24 Dr. Khalili very carefully because Dr. Khalili was
25 not honest in his research and that I shouldn't,

1 you know, hook up with him.

2 **Q. Isn't it true that Dr. Houser -- that you**
3 **reached out to Dr. Houser and asked him to help you**
4 **get a job at Temple?**

5 A. I don't -- so I don't remember that. I
6 was -- I was offered the chairmanship of the
7 Department of Medicine at Temple in 2002.

8 Maybe that's what you're referring to.
9 I'm not sure.

10 **Q. All right. What else do you recall people**
11 **saying that Dr. Houser has said about you?**

12 A. That's all I recall.

13 **Q. Nothing else?**

14 A. No.

15 **Q. Have you received any royalties as an**
16 **inventor on the BAG3 IP?**

17 A. No.

18 **Q. Do you know if Temple has received any**
19 **royalties on the BAG3 IP?**

20 A. You'd have to ask Temple. I don't know.

21 **Q. Okay. So I believe that you have done**
22 **research on mice. Correct?**

23 A. Correct.

24 **Q. Have you ever performed your own research on**
25 **pigs?**